

FULBRIGHT & JAWORSKI L.L.P.

Market Square

801 Pennsylvania Avenue, NW

Washington, DC 20004

Telephone: (202) 662-0200

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Maria N. Lerner

Richard C. Smith

Stephen M. McNabb

Kelly E. Garrett

Attorneys for Non-Party,

Fulbright & Jaworski L.L.P.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

JAMES TREACY,

Defendant.

CASE NO. 1:08-CR-00366-RLC

MOTION TO ADMIT COUNSEL PRO HAC VICE

PURSUANT TO RULE 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Maria N. Lerner, a member in good standing of the bar of this Court, hereby moves for an Order allowing the admission pro hac vice of

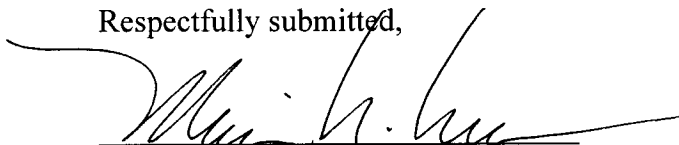
Stephen M. McNabb
Fulbright & Jaworski L.L.P.
801 Pennsylvania Ave., N.W.
Washington, D.C. 20004
Phone Number: (202) 662-0200
Fax Number: (202) 662-4643.

Stephen M. McNabb is a member in good standing of the Bar of the District of Columbia.

There are no disciplinary proceedings against Stephen M. McNabb in any State or Federal court.

Dated: July 22, 2008
City, State: Washington, D.C.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Maria N. Lerner", written over a horizontal line.

Maria N. Lerner
SDNY Bar Code: ML2546
Fulbright & Jaworski L.L.P.
801 Pennsylvania Ave., N.W.
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-against-

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Defendant.

CASE NO. 1:08-CR-00366-RLC

**AFFIDAVIT OF MARIA N. LERNER IN SUPPORT OF MOTION TO ADMIT
COUNSEL PRO HAC VICE**

District of Columbia) ss:
)

Maria N. Lerner, being duly sworn, hereby deposes and says as follows:

1. I am Senior Counsel at Fulbright & Jaworski L.L.P., counsel for non-party Fulbright & Jaworski L.L.P. in the above captioned action. I am familiar with the proceedings of this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Fulbright & Jaworski L.L.P. motion to admit Stephen M. McNabb as counsel pro hac vice to represent non-party Fulbright & Jaworski L.L.P. in this matter.

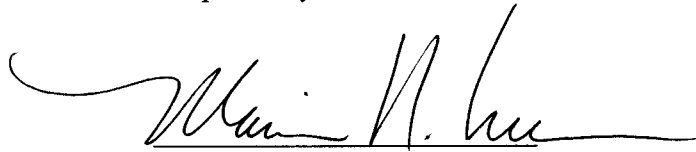
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1999. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Stephen M. McNabb since 2008.
4. Stephen M. McNabb is Partner at Fulbright & Jaworski L.L.P.
5. I have found Mr. McNabb to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Stephen M. McNabb, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Stephen M. McNabb, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Stephen M. McNabb, pro hac vice, to represent non-party Fulbright & Jaworski L.L.P. in the above captioned matter, be granted.

Dated: July 22, 2008
City, State: Washington, D.C.
Notarized:

District of Columbia: SS
Subscribed and sworn to before me, in my presence,
this 22nd day of July, 2008
Sarah Foley Barkright
Notary Public, D.C.
My commission expires October 31, 2011

Respectfully submitted,


Maria N. Lerner
SDNY Bar Code: ML2546

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*Attorneys for Non-Party,
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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

JAMES TREACY,

Defendant.

CASE NO. 1:08-CR-00366-RLC

ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION

Upon the motion of Maria N. Lerner attorney for Fulbright & Jaworski L.L.P. and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

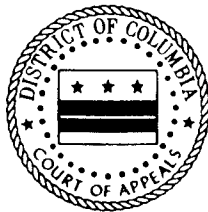
Stephen M. McNabb
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801 Pennsylvania Ave., N.W.
Washington, D.C. 20004
Phone Number: (202) 662-0200
Fax Number: (202) 662-4643
E-mail Address: smcnabb@fulbright.com

is admitted to practice pro hac vice as counsel for non-party Fulbright & Jaworski L.L.P. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Date:

City, State:

United States District/Magistrate Judge



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

STEPHEN M. McNABB

was on the 13TH day of DECEMBER, 1982
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on July
22, 2008.

GARLAND PINKSTON, JR., CLERK

By: M. Charles
Deputy Clerk

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

JAMES TREACY,

Defendant.

CASE NO. 1:08-CR-00366-RLC

DISTRICT OF COLUMBIA) SS:

Maria N. Lerner, being duly sworn deposes and says:

1. That I am over eighteen years of age and am not a party to this action.
2. On July 22, 2008, I served non-party Fulbright & Jaworski L.L.P.'s ***Motion To Admit Counsel Pro Hac Vice*** for Richard C. Smith, Stephen M. McNabb, and Kelly E. Garrett on the following attorneys:

Reid H. Weingarten, Esq.
Evan T. Barr, Esq.
Sandra E. Cavazos, Esq.
STEPTOE & JOHNSON LLP
750 Seventh Avenue, Suite 1900
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Attorneys for Defendant James Treacy

Deirdre McEvoy, AUSA
United States Attorney's Office
Southern District of New York
The Silvio J. Mollo Building
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Attorneys for Akin Gump Strauss Hauer & Feld LLP

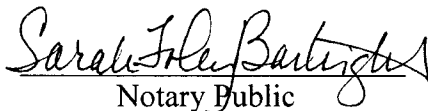
Paul Vizcarrondo, Esq.
Wachtell, Lipton, Rosen & Katz
51 W. 52nd Street
New York, NY 10019
Attorneys for John Gaulding

by United States Postal Service via First Class Mail, true copies thereof.



Maria N. Lerner
SDNY Bar Code: ML2546

Sworn to before me this 22nd day of July, 2008.


Notary Public

SARAH FOLEY BARHIGHT
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires October 31, 2011